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# A BILL FOR AN ACT

RELATING TO POST-SECONDARY EDUCATION STUDENT IMMUNIZATIONS.

**BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:**

1       SECTION 1. The legislature finds that colleges and  
2 universities are increasing the number of courses and programs  
3 offered online. The University of Hawaii offered 1,428 sections  
4 of distance learning in the fall 2018 semester and is preparing  
5 to increase its offering of exclusively online programs.

6 Because methods of educational delivery are changing, certain  
7 requirements that have been traditionally imposed on students,  
8 such as immunizations, may not always apply in the same manner  
9 as they do for traditional classroom instruction.

10       The legislature further finds that the department of health  
11 is currently proposing changes to title 11, chapter 157, Hawaii  
12 Administrative Rules, relating to examination and immunization.

13 The proposed changes include an exemption for online and  
14 distance learning for post-secondary schools which will be  
15 implemented after the proposed rules are approved by the  
16 governor and the amended rules have been filed with the  
17 lieutenant governor.



1       The legislature additionally finds that the University of  
2       Hawaii is expanding its online and distance-learning programs  
3       beginning with the fall 2019 semester. However, the proposed  
4       rule may not be adopted in time for fall 2019 classes.  
5       Therefore, students who register exclusively for post-secondary  
6       online and distance-learning programs for fall 2019, or the  
7       preceding online summer college transition course, may still be  
8       subject to the current immunization requirements. The  
9       department of health and University of Hawaii agree that the  
10      rule regarding immunization should be amended to exempt post-  
11      secondary students in online or distance-learning programs who  
12      do not attend classes in person.

13      The purpose of this Act is to allow post-secondary students  
14      who attend classes exclusively online or through distance  
15      learning to be exempt from the requirements of title 11, chapter  
16      157, Hawaii Administrative Rules, under certain conditions.

17      SECTION 2. Students in post-secondary education programs  
18      who are registered to attend classes exclusively online or  
19      through distance learning shall be exempt from the requirements  
20      of title 11, chapter 157, Hawaii Administrative Rules; provided  
21      that if a student needs to go on campus for any reason,



1 including but not limited to the use of facilities or meeting  
2 with professors or instructors, the student shall be subject to  
3 the immunization requirements of title 11, chapter 157, Hawaii  
4 Administrative Rules, prior to entering the campus.

5 SECTION 3. This Act shall take effect on July 1, 2019.



**Report Title:**

Post-secondary Education Students; Immunization Exemption

**Description:**

Exempts students in post-secondary education programs from immunization requirements if they attend classes exclusively online or through distance learning, under certain conditions.  
(SD2)

*The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.*

